

Management System: Real Property Management

Subject Area: Land Management and Disposal

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1.0 Introduction

The U.S. Department of Energy (DOE) has limited authority to dispose of real property under its own authority. Disposal authorities are listed in Chapter 8, "Disposal of Real Estate," of the *DOE Real Property Desk Guide*. All agencies are directed to maintain their real property assets at the minimum level needed to accomplish its mission and to promptly report to the General Services Administration (GSA) any property identified as excess. If the disposal involves improvements, the agency must also submit the property to the Department of Housing and Urban Development (HUD) for review for possible use by the homeless in compliance with the 42 U.S.C. 11411, *Stewart McKinney Homeless Assistance Act*.

An Environmental Management Consolidated Business Center (EMCBC) Real Estate Contracting Officer (RECO) and/or Certified Realty Specialist (CRS) must review and approve all real estate actions to acquire, manage, and dispose of real property assets before executing the action.

NOTE: Check to ensure that you are using the most recent version of this Guide as changes may occur.

2.0 Contents

Procedures	Procedure Content
1. Disposing Real Property by Demolition Without the Underlying Land	<ul style="list-style-type: none"> Determine that the DOE no longer has a need for the property, and request Departmental Screening, as necessary. Prepare disposal package, and obtain concurrences. Approve disposal request. Archive property record in the Facilities Information Management System (FIMS).

2. Disposing Real Property for Economic Development	<ul style="list-style-type: none"> • Receive a proposal for transfer, determine to proceed or reject the proposal, and request Departmental Screening, as necessary. • Obtain appropriate documentation from other entities. • Prepare transfer package, and obtain concurrences. • Forward to U.S. Office of Management and Budget (OMB) for concurrence and if OMB agrees, notify Congressional Committees. • Obtain approval, record Quitclaim Deed, and archive property record in FIMS.
3. Disposing Real Property by Atomic Energy Act (AEA), Section 161g	<ul style="list-style-type: none"> • Receive a proposal for transfer, determine to proceed or reject the proposal, and request Departmental Screening. • Obtain appropriate documentation from other entities. • Prepare transfer package and obtain concurrences. • Forward to OMB for concurrence and if OMB agrees, notify Congressional Committees. • Obtain approval, record Quitclaim Deed, and archive property record in FIMS.

3.0 Related Information

3.1 Requirements

- 10 CFR 770 Transfer Of Real Property At Defense Nuclear Facilities For Economic Development
- 41 CFR 101 Federal Property Management Regulations System
- 41 CFR 102 Federal Management Regulation
- DOE O 430.1B, Admin. Change 2 Real Property Asset Management
- DOE O 458.1, Admin. Change 2 Radiation Protection Of The Public And The Environment
- DOJ RPG A Procedural Guide For The Acquisition Of Real Property By Governmental Agencies, Department Of Justice, 1972
- E.O. 13327 Federal Real Property Asset Management (Amended by E.O. 13423)
- P.L. 83-703 (68 stat. 919) The Atomic Energy Act of 1954
- P.L. 95-91, Section 647 Department of Energy Organizational Act
- P.L. 95-91, 91 Stat. 578 (Sections 302 and 347) Department of Energy Organizational Act of 1977, Delegated Authority for Real Property
- P.L. 105-85 National Defense Authorization Act For FY 1998

- P.L. 106-580 Federal Property And Administrative Services Act Of 1949, As Amended

3.2 References

- DOE *Real Property Desk Guide*, dated June 2014
- Section 7.0, "Delegations," in the Real Property Management MSD (See EMCBC Services MSD Site)
- 42 U.S.C. 11411, *Stewart McKinney Homeless Assistance Act*.
- 42 U.S.C. 2201 (g), Section 161(g) of the *Atomic Energy Act*
- 42 U.S.C. Section 2224, Section 174, *Development and Control of Atomic Energy*
- P.L. 94-579, Section 204(e), Federal Land Policy and Management Act of 1976 (FLPMA)

3.3 Other Documents

- DOE Request Screening for Disposition of Real Property Form
- GSA SF 118, Report of Excess Real Property, and GSA SF 118A, Buildings, Structures, Utilities, and Miscellaneous Facilities
- HUD Title V Property Survey, Federal Property Information Checklist

EMCBC RECORD OF REVISION

DOCUMENT TITLE: Land Management and Disposal

If there are changes to the controlled document before the two-year review cycle, the revision number stays the same; one of the following will indicate the change:

I Placing a vertical black line in the left margin adjacent to sentence or paragraph that was revised; or

I Placing the words GENERAL REVISION at the beginning of the text. This statement is used when entire sections of the document are revised.

If changes and updates occur at the two-year review cycle, the revision number increases by one.

Rev. No.	Description of Changes	Revision on Pages	Date
0	Initial Document		3/10/2015